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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,061	08/30/2001	Aalim Lakhani	CA920000056US1/2178P	8697

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 SAWYER LAW GROUP
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EXAMINER

CHEN, TE Y

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 03/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/943,061

Applicant(s)

LAKHANI ET AL.

Examiner

Susan Y Chen

Art Unit

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-25 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/8/2004 has been entered.

Claims 1-25 are pending for continued examination, claims 1, 10, 15 and 17 have been amended.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mikurak (U.S. Patent No. 6,606,744) in view of Wyatt (U.S. Patent No. 6,041,411).

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As to claim 1, Mikurak discloses an e-commerce system [e.g., Fig. 4] for enabling the purchase of a package of products and services [e.g., Fig(s). 54-55], comprising:

a) a catalog database [e.g. see the modules 5300, 5324 of Fig. 53; Fig. 80; the Application Database of Fig. 121] comprising package data correlated to at least one package [e.g. see col. 178, lines 19-46].

b) a selection module coupled to the catalog database for allowing a customer to select a package for purchase [e.g. see the shopping Cart processing at col. 96 et seq., Fig. 55].

c) a resolution module coupled to the catalog database for resolving unresolved attributes of the one or more products in the selected unresolved package [e.g. see the Problem Handling process 1502, Fig. 21; col. 46, lines 54 – col. 48, lines 41].

Mikurak did not expressly disclosed that resolving the unresolved attribute of products in a package is by accessing the package data correlated to the selected unresolved package.

However, Wyatt disclosed a e-commerce system has a resolution module that resolving the unresolved attribute of products in a package is by accessing the package data correlated to the selected unresolved package [e.g., Fig. 7 and associated texts, col. 9, lines 29 – col. 10, lines 40].

Mikurak and Wyatt are in the same field of providing a resolution module to resolve the problems occurred in a e-commerce system. Thus, with the teachings of

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Mikurak and Wyatt in front of him/her, a ordinary skilled person in the art, at the time the invention was made would be motivated to modify Mikurak's resolution module with the technique taught by Wyatt, because by doing so, the combined system will provide a resolving module to resolve the unresolved attribute of products in a package via direct accessing the package data correlated to the selected unresolved package such that the product is to be automatically launched upon purchase [e.g., Wyatt: col. 10, lines 30 – 40]

As to claim 2, the combined system further discloses the catalog database comprising item data, product data and attribute data [e.g., Mikurak: the Item catalog screen processing, col. 97, line 49 – 59].

As to claim 3, the combined system further discloses the catalog database comprising image data correlated to at least one package [e.g., see Mikurak: the on-line display of purchase list, col. 28, lines 21-23; col. 97, lines 55-56].

As to claims 4-5, the combined system further discloses the system connected to a global communication network – Internet [e.g., see Mikurak: the network (135), Fig. 1].

As to claims 6-9, the combined system further discloses the system comprising catalog database, selection module, resolution module, ordering module, and payment module [e.g., see Mikurak: Fig. 4, Fig(s). 20-27].

As to claims 10-16, these claims recite similar features as claims 1-9 in form of e-commerce processing method, hence are rejected for the same reason.

As to claims 17-25, these claims recited similar features as claims 1-15 in form of computer readable product implemented in multimedia signal-baring medium, via modulated carrier signal transmission over a network/internet [e.g., see Mikurak: Abstract, lines 1-12]. Thus, they are rejected for the same reason.

Response to Arguments

Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y Chen whose telephone number is 571-272-4016. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan Y Chen
Examiner
Art Unit 2161

February 8, 2005



UYEN LE
PRIMARY EXAMINER